

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

MICHAEL DISABATO, et al.,

Plaintiffs,

v.

THE OHIO STATE UNIVERSITY,

Defendant.

Case No. 2:19-cv-2237

Judge Michael H. Watson

Chief Magistrate Judge  
Elizabeth P. Deavers

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**ORDER ESTABLISHING THE WS OSU QUALIFIED SETTLEMENT FUND AND  
APPOINTING FUND ADMINISTRATOR**

Having come before this Court upon the Motion to Establish the WS OSU Qualified Settlement Fund, this Court has received evidence and information from the Movant that the establishment of this Qualified Settlement Fund satisfies the requirements of Treasury Regulation Section 1.468-1(c) as:

- a) It is established to resolve one or more contested or uncontested claims<sup>1</sup> that have resulted from an event or series of events giving rise to at least one claim asserting liability; and
- b) It is established pursuant to the Motion presented to this Court; and
- c) The assets of the Fund are segregated from other assets of the transferor.

**THEREFORE IT IS HEREBY ORDERED THAT:**

1. The aforementioned WS OSU Qualified Settlement Fund is approved.
2. ARX Management, LLC (“ARX”) is appointed as Fund Administrator and is hereby

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<sup>1</sup> Pursuant to this Court’s April 17, 2020 Order, ECF No. 38, all settling cases were consolidated, with Case Number 2:19-cv-2237 designated as the lead case. As such, all documents filed under this Case Number equally apply to Case Numbers: 2:19-cv-1911, 2:19-cv-5418, 2:19-cv-3165, 2:19-4397, 2:19-cv-4624, 2:19-cv-4634, 2:19-cv-5551, 2:20-cv-1188, 2:19-cv-2429, 2:20-cv-1385, and 2:19-cv-4433 unless stated otherwise therein.

- granted the authority to conduct any and all activities necessary to administer this Qualified Settlement Fund, including but not limited to execution of all qualified assignment documents of any resulting structured settlement liability within the meaning of Section 130(c) of the Internal Revenue Code.
3. The Qualified Settlement Fund shall be established at U.S. Bank (“Bank”), a financial institution doing business in Minneapolis, MN and Cincinnati, OH according to the terms, conditions and restrictions of the Motion and this Order.
  4. Upon final distribution of all monies paid into the Qualified Settlement Fund, the Fund Administrator shall take appropriate steps to wind down the Settlement Fund and thereafter shall be discharged from any further responsibility with respect to the Settlement Fund.

**IT IS SO ORDERED.**

*/s/ Michael H. Watson*

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**MICHAEL H. WATSON**

**UNITED STATES DISTRICT JUDGE**